

**HAMPTON BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
May 12, 2003 7:00 PM**

**PRESENT:** Brian C. Warburton, Chairman, Virginia Bridle,  
William Sullivan, James A. Workman, Cliff Pratt  
James S. Barrington, Town Manager  
Karen Anderson, Administrative Assistant

**PUBLIC HEARING** – The Board of Selectmen held a public hearing to take comments on the applications for discretionary preservation easements on the following properties:

**641 Exeter Road** – Riley, Diane R. 1987 Realty Trust  
**67 North Shore Road** – David Cropper  
**28 Park Avenue** – Dona & Peter Janetos  
**205 Winnacunnet Road** – Susan Erwin  
**222 Winnacunnet Road** – Ann C McDermott Revocable Trust  
**80 North Shore Road** – Barbara & Terry Stukowski  
**105 Towle Farm Road** – Philip A. Towle  
**204-206 Winnacunnet Road** – Ansel W. Palmer  
**271 Winnacunnet Road** – Marsha & David Skoglund

Mr. Warburton explained that this is for preservation easements for historic barns and said that the Selectmen would take comments on the applications tonight and would be making a decision at a later date.

Mr. McDermott representing his wife, Ann McDermott of 222 Winnacunnet Road. He explained that the barn has been there for as long as anyone can remember, in the early 1800's. He provided additional information for the Board to review. Mr. Warburton said that the application was filled out very well and the Board appreciates the work that went into these applications. Mr. Pratt said that he visited the barn and it is in good shape and is one of the oldest barns in Hampton.

Mr. Philip Towle, 105 Towle Farm Road noted that his namesake was one of the first settlers of Hampton and established the Towle Farm in the 1700's. The barn is part of the National Bicentennial Registry and has been named one of the top ten barns in New Hampshire. It was originally used for salt hay and later as a dairy farm. Mr. Pratt said that this is the real jewel of Hampton's barns and is one of the best barns he has ever seen, without a nail in it. Mr. Estey noted that there was a carriage house attached and he asked about Mr. Towle's intent for the easement. Mr. Towle said that the farmhouse itself was built in 1873 and was rebuilt after a fire, but all of the other buildings are original. He would appreciate the Board's consideration of this easement.

Mr. Peter Janetos on behalf of his wife Dona, of 28 Park Avenue, said that the house with the attached barn has been there for 118 years. The foundation of the barn has been reinforced and the roof has been repaired. Mr. Janetos noted that the barn is adjacent to the Historical Society property and they have indicated their support of this application. The barn still has the original layout with the stalls and hay mounts. Mr. Pratt said that Mr. Janetos has done some wonderful restoration and the barn is in very good shape.

Mrs. Susan Erwin, 205 Winnacunnet Road said that she has no deed to tell her exactly how old the barn is, but it is adjacent to the Pine Grove Cemetery and is in fairly good shape. Mr. Pratt said that it certainly qualifies as being older than 75 years.

Mr. David Cropper, 67 North Shore Road said that he has a barn that was built in the late 1850's and it has been kept in the original condition; it is their intention is to keep it as is, with just the necessary maintenance.

The Public Hearing was closed at 7:15 PM

Mr. Pratt said that the Riley Barn has been restored and is in beautiful shape. The other barns he viewed also qualify. Mr. Sullivan thanked Mr. Pratt for taking the time to view all of these barns and sharing his expertise with the Board.

### **I. SALUTE TO THE FLAG**

County Attorney Jim Reams led the audience in the salute to the flag.

### **II. ANNOUNCEMENTS AND COMMUNITY CALENDAR**

Mrs. Bridle told the Board that on May 24<sup>th</sup> at WHS there will be “Sounds of Solidarity”, a musical event and silent auction to benefit the Parkinson’s Foundation.

### **III. APPOINTMENTS**

#### 1. Mr. Robert Estey, Assessor

##### First Half Tax Warrant

**Mrs. Bridle MOTIONED** that the Board of Selectmen sign the First Half Tax Warrant for 2003 in the amount of \$17,896,750.25 to be due July 1, 2003.

**Mr. Pratt SECONDED**

**VOTE: UNANIMOUS FOR**

##### Vision Web Hosting Agreement

Mr. Estey explained that this agreement will provide access to the public to the town’s assessing records and valuations on the Internet on a “read-only” basis. The information will be available later in November when the new values have been determined. Mr. Estey explained that the agreement provides for the first three-months free, so there will be no cost in 2003.

**Mr. Pratt MOTIONED** that the Board approve and sign the agreement with Vision for the web hosting of the assessing data.

**Mrs. Bridle SECONDED**

Mr. Workman asked if Attorney Gearreald reviewed the agreement. Mr. Barrington said that he does not believe Attorney Gearreald has seen it. Mr. Estey said that Attorney Gearreald has not reviewed it, however, he is comfortable with the agreement as written.

**VOTE: UNANIMOUS FOR**

Mr. Estey noted that a favorable decision has been received on the abatement appeal for Seaside Realty Trust.

#### 2. County Attorney Jim Reams, Re: Hampton District

Mr. Warburton noted that it is not often that the Board of Selectmen has the County Attorney at a meeting, and he is proud to say that Attorney Reams is a Hampton resident.

Attorney Reams told the Board that he was present to discuss the current Hampton District Court and it’s future location. He explained that the town should be pro-active about what happens in the future with the courthouse and there are a number of options that can be weighed by the Town. He noted that the current building clearly does not meet ADA requirements and he is surprised each time the State renews the lease. Attorney Reams said that there have been rumors of combining the Hampton and Exeter District Courts for some time and while he feels that is a good solution, it is important to have that located in Hampton. Attorney Reams said that he had some involvement with the moving of the Exeter Superior Court to Brentwood. Mr. Sullivan said that he definitely wants to see the court stay in Hampton, mostly for financial reasons. He said that he does not know what the answer is or where it could be located. Mr. Pratt said that Nashua was very proactive and he asked Attorney Reams if he knew what they did. Attorney Reams said that Nashua wanted to make sure that the court stayed in the downtown area, and donated the land rather than locating the court on a site the State planned to use on the edge of the city.

Mr. Warburton thanked Attorney Reams for coming and agreed that the Board of Selectmen wants to see the court stay in Hampton and if there is anything that the Board should do they would appreciate him keeping the Board informed. Attorney Reams said that it would make sense for the Board to begin to reach out to the State about their desire to keep the court in Hampton. Mr. Barrington told the Board that when he met with the State last week about the beach infrastructure work he had the opportunity to suggest that the site owned by the State, by the Park & Ride on Exeter Road, would be a good location for a combined Hampton and Exeter District Court. Attorney Reams said that there was talk about putting both of the courts in the old Superior Court building but that was not workable. He added that the reason why Nashua and Dover fought to keep their courthouses downtown was based on the impact to the restaurants and businesses in the downtown area. Mr. Warburton said that the State budget is planning to include site review for the Hampton District Court and this is the perfect time for the Board to work on this. Mr. Sullivan said that the Exeter Road location is just one idea, and he also suggested 136 Winnacunnet Road may be an appropriate site to consider giving to the State.

#### **IV. OLD BUSINESS**

##### Town Manager's Report

###### Wastewater Treatment Plant

Mr. Barrington told the Board that he met with Roger Bedard of Wright-Pierce Engineers to discuss the issues surrounding the implementation of the administrative order regarding the copper limits at the treatment plant. It is understood that there is litigation against the EPA over unrealistic copper limits and Mr. Bedard is exploring the status of those cases as well as continuing to look for ways to comply with the town's administrative order.

###### Beach Infrastructure Improvements

The Town Manager told the Board that the meeting held with Commissioner Bald, Commissioner Murray and Rene Pelletier of DES went very well last week. The officials were very supportive of Hampton's presentation and of the implementation of the Beach Master Plan. Mr. Barrington said that he was also able to discuss with Mr. Pelletier the copper issue at the wastewater treatment plant and the possibility of a tertiary treatment procedure. Allison McLean, Rene Pelletier and Mike Burlage will be the key contacts at this time.

###### Police Facility

The responses to the town's request for qualifications for contractors to bid on the police facility were reviewed last week. A total of 16 responses were received and additional information has been requested of seven of the qualified firms. A second review will be done on May 14<sup>th</sup> and it is expected that the qualified bidders will be given bid documents the week of May 19<sup>th</sup> with bids due in by June 17. A groundbreaking ceremony is anticipated for the week of June 23<sup>rd</sup>.

###### Seafood Festival

A preliminary meeting was held last week with the Chamber of Commerce and the Seafood Festival Committee to discuss logistics for the "sidewalk sale" portion of the Seafood Festival for 2003. He noted that last year there were some issues regarding the type of items that were sold. Legal review of some of the issues surrounding limitations on sales of certain items will be necessary, and Attorney Gearreald will be working on that.

###### Traffic Circulation Study

Following interviews last week, Rizzo Associates has been selected to do the Traffic Circulation Study that was funded by a special warrant article last year. The contract is currently being negotiated so that the work can be performed during the peak summer season.

Newicks Property

Mr. Barrington told the Board that Mrs. Bridle had asked him to look into the cost of the Newick's property on Lafayette Road. He said that the building contains 11,000 square feet and it sits on 2.2 acres of land. There are some repairs necessary to the roof and there may be an underground fuel tank. The asking price is \$1.3 million.

Rail Service

Mr. Barrington reported that he received a fax from the Rockingham Planning Commission in regard to a notice they received from Guilford Railroad indicating that they are intending to discontinue the use of the portion of rail in Hampton that services Foss Manufacturing. Mr. Barrington told the Board that he has sent a letter to Mr. Foss to make him aware of this.

Mr. Sullivan said that as a member of the committee looking into expanding the rail service, he would hate to see that section of rail abandoned; but he would also not like the town to spend a lot of money to reconstruct a railroad bridge when a grade crossing could be possible. Mr. Barrington said that he found it interesting that at a recent meeting regarding the reconstruction of the bridge, that the Guilford representative indicated necessary heights for the bridge and that additional use of the line was being considered. Mr. Pratt said that he understands that Foss receives deliveries through that line. Mr. Barrington said that it was his understanding that Foss both receives deliveries and sends out material through that line.

Upcoming Meetings

Mr. Barrington reported that he has been invited to attend the May 20<sup>th</sup> Budget Committee meeting and at 6:00 PM of the same evening to attend the CIP meeting.

State Revolving Fund

Mr. Barrington reported that much of the proposed sewer work is eligible for the State Revolving Loan program and Wright-Pierce is currently processing the applications for those loans. Mr. Barrington said that he needs a vote of the Board of Selectmen to authorize the Town Manager to sign the applications and associated paperwork for those funds.

Non-Public Session

**Mr. Pratt MOTIONED** that the Board meet in non-public session under RSA 91-A:3 II(d) at the conclusion of the meeting to discuss the district court building location.

**Mrs. Bridle SECONDED**

**VOTE: UNANIMOUS FOR**

Municipally Owned Fiber Optic Network

Mr. Warburton noted that the Board had a visit from the Merton Group last week and agreed to follow up on that this week. Mr. Workman said that he thinks it is a worthwhile venture to explore and the more information the Board has before making a decision is good. He added that at this time he is leaning toward not going into the business, but he would like more information. Mr. Sullivan agreed that the study should be done as long as it does not take appreciable staff time, but he is also leaning towards not getting involved in the cable business. Mr. Pratt said that he had one resident, Tracey Emerick, volunteer to be on the advisory committee and had a few people encourage him to have the study done. Mr. Warburton said that the Merton Group would conduct the feasibility study and he did not believe that the advisory committee would be in place until after the study was completed. Mrs. Bridle said that she feels this should be put on the back burner because there are so many other items at this time. Mr. Sullivan said that he would like to see the system operating in another community before he agrees to go too far.

**Mr. Workman MOTIONED** to allow the Merton Group to conduct a feasibility study in regard to a municipally owned fiber optic network.

**Mr. Sullivan SECONDED**

**VOTE: 3 FOR**

**2 OPPOSED (Bridle, Warburton)**

Budget Committee

Mrs. Bridle told the Board that she will not be at the upcoming Budget Committee meeting until 7:30 and reminded the Board that she had informed them of her previous commitment when she was appointed as the representative. The Board did not object to Mr. Barrington attending the Budget Committee meeting.

State Revolving Loan Program

Mrs. Bridle MOTIONED that the Town Manager be authorized to sign the application and appropriate paperwork for participation in the State Revolving Loan program for the construction of Hampton Beach interceptors and construction of sewer interceptors on Kings Highway and Ocean Boulevard and for the updating of the 201 Facilities Plan.

**Mr. Sullivan SECONDED**

**VOTE: UNANIMOUS FOR**

**V. NEW BUSINESS**

Surplus Materials Auction

Mr. Workman asked if the town would be conducting a surplus materials auction this year. Mr. Barrington said that the departments will be putting an inventory of surplus materials together and the Board can then schedule an auction.

Memorial Day Parade

Mr. Warburton asked if the Board could be provided with the route of the Memorial Day parade. Mr. Barrington said that he understands that the route will be the same as it has been in the past. The dedication of the September 11<sup>th</sup> Memorial at Station II will take place after the events at the cemetery.

**VI. MINUTES**

The minutes of May 5, 2003 were accepted as written.

**VII. CONSENT AGENDA**

1. Hawkers & Peddlers Permits

**Mr. Workman MOTIONED** that the consent agenda items be approved.

**Mrs. Bridle SECONDED**

**VOTE: UNANIMOUS FOR**

**VI. ADJOURNMENT**

**Mr. Sullivan MOTIONED** that the meeting be adjourned. (8:05 PM)

**Mrs. Bridle SECONDED**

**VOTE: UNANIMOUS FOR**

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Chairman